

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on **November 17, 2003** in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number **EU721845673US**, addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Jay R Beyer

Attorney Docket No.: **DCI-5D4**

First Named Inventor:

**John E. Mercer**

**EU 721845673 US**



**UTILITY PATENT APPLICATION TRANSMITTAL (37 CFR § 1.53(b))**  
(Continuation, Divisional or Continuation-in-part application)

Mail Stop Patent Application  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

☒ Duplicate for fee processing

Sir: This is a request for filing a patent application under 37 CFR. § 1.53(b) in the name of inventors:

**Rudolf Zeller and John E. Mercer**

For: **ORIENTATION SENSOR ESPECIALLY SUITABLE FOR USE IN AN UNDERGROUND BORING DEVICE**

This application is a ☐ Continuation ☒ Divisional ☐ Continuation-in-part application of copending prior application number **10/132,654** filed on **April 24, 2002**, which is a divisional of application **09/547,120** filed on **April 11, 2000** now issued as patent **6,400,159** on **June 4, 2002**, which is a divisional of **08/986,294**, filed on **December 6, 1997** now issued as patent **6,066,955** on **May 23, 2000**, which is a divisional of **08/564,587** filed **November 29, 1995** now issued as patent **5,726,359** on **March 10, 1998**, from which priority under 35 U.S.C. §120 is claimed.

**Application Elements:**

- ☒ 12 Pages of Specification, Claims and Abstract
- ☒ 7 Sheets of **formal** Drawings
- ☒ 2 Declaration
  - ☐ Newly executed (original or copy)
  - ☒ Copy from a prior application (37 CFR 1.63(d) for a continuation or divisional). The entire disclosure of the prior application from which a copy of the declaration is herein supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
  - ☐ Deletion of inventors Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

**Accompanying Application Parts:**

- ☒ Assignment and Assignment Recordation Cover Sheet (recording fee of \$40.00 enclosed)
- ☐ Power of Attorney
- ☐ 37 CFR 3.73(b) Statement by Assignee
- ☒ Information Disclosure Statement with Form PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment (*New claims numbered after highest original claim in prior application.*)
- ☒ Return Receipt Postcard
- ☐ Small Entity Statement(s) ☒ Statement filed in prior application. Status still proper and desired.
- ☐ Request and Certification under 35 USC 122(b)(2)(B)(i).
- ☐ Other:

Claim For Foreign Priority

- ☐ Priority of \_\_\_\_\_ Application No. \_\_\_\_\_ filed on \_\_\_\_\_  
is claimed under 35 U.S.C. § 119.
- ☐ The certified copy has been filed in prior application U.S. Application No. \_\_\_\_\_
- ☐ The certified copy will follow.

Extension of Time for Prior Pending Application

- ☐ A Petition for Extension of Time is being concurrently filed in the prior pending application. A copy of the Petition for Extension of Time is attached.

Amendments

- ☐ Amend the specification by inserting before the first line the sentence: "This is a
- ☐ Continuation ☐ Continuation-in-part ☐ Divisional  
application of copending prior
- ☐ Application No. \_\_\_\_\_, filed on \_\_\_\_\_,
- ☐ International Application \_\_\_\_\_ filed on \_\_\_\_\_ which  
designated the United States,  
the disclosure of which are incorporated herein by reference."
- ☐ Cancel in this application original claims \_\_\_\_\_ of the prior application  
before calculating the filing fee. (*At least one original independent claim must be retained.*)

Fee Calculation (37 CFR § 1.16)

	(Col. 1)	(Col. 2)		SMALL ENTITY	OR		LARGE ENTITY
	<u>NO. FILED</u>	<u>NO. EXTRA</u>		<u>RATE</u>	<u>FEE</u>		<u>RATE</u> <u>FEE</u>
BASIC FEE				\$385	\$385	OR	\$770 \$
TOTAL CLAIMS	<u>2</u>	-20 = <u>0</u>		x9 =	\$	OR	x18 = \$
INDEP CLAIMS	<u>1</u>	-03 = <u>0</u>		x43 =	\$	OR	x86 = \$
[ ] Multiple Dependent Claim Presented				\$145 =	\$	OR	\$290 = \$
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.				Total	\$385	OR	Total \$

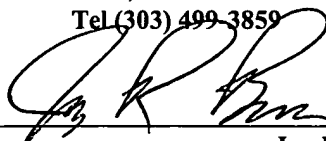
- ☒ Please charge Deposit Account No. 19-1685 (Order No. DCI-5D4) in the amount of \$465.00 to cover the filing fee and assignment recordation fees.
- ☒ The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 19-1685 (Order No. DCI-5D4).

General Authorization for Petition for Extension of Time (37 CFR §1.136)

- ☒ Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed.
- ☒ Please send correspondence to the following address: Customer Number 21833

Jay R Beyer  
Boulder Patent Services  
1021 Gapter Road  
Boulder, CO 80303-2924  
Tel (303) 499-3859

Date: November 17, 2003



Jay R Beyer  
Registration No. 39,907